

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EUGENIA SONG,

Plaintiff,

-against-

PETER COLEMAN,

Defendant.

1:23-CV-4740 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Eugenia Song, who is appearing *pro se*, filed the present action against Peter Coleman. For the reason discussed below, the Court dismisses the present action without prejudice.

Plaintiff previously submitted to this court an identical complaint against Coleman. The civil action commenced by that complaint is presently pending before this court under docket number ECF 1:23-CV-4526 (LTS). As the complaint commencing the present action raises the same claims, no useful purpose would be served by litigating a duplicative lawsuit. The Court therefore dismisses the present action without prejudice to Plaintiff's pending action under docket number 1:23-CV-4526 (LTS).

CONCLUSION

The Court dismisses the present action without prejudice as duplicative of *Song v. Coleman*, ECF 1:23-CV-4526 (LTS).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to enter judgment in the present action.

SO ORDERED.

Dated: June 13, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge